

Sponsor: Steve Bilbrough
Final Reading: 3/6/2023

ORDINANCE #66-23

AN ORDINANCE MAKING COMPREHENSIVE AMENDMENTS TO THE LAND USE AND DEVELOPMENT CODE OF THE TOWN OF WYOMING BY REPEALING THE EXISTING LAND USE AND DEVELOPMENT CODE AND ADOPTING AN UPDATED LAND USE AND DEVELOPMENT CODE IN PLACE THEREOF

WHEREAS, the Town of Wyoming is authorized pursuant to 22 *Del. C.* Chapter 3 and Section 18.20 of the Town Charter to enact zoning regulations in the Town of Wyoming;

WHEREAS, the Town of Wyoming enacted zoning regulations by adopting the Land Use and Development Code of the Town of Wyoming on August 3, 2009;

WHEREAS, the Town of Wyoming is authorized pursuant to section 15-6 of its Land Use and Development Code to amend the text of the Land Use and Development Code after the amendment has been reviewed by the Planning and Zoning Committee and the Town Council has held a public hearing that was advertised in a newspaper of general circulation in the town at least 15 days prior to the hearing;

WHEREAS, in the opinion of the Town Council, it is necessary to enact comprehensive amendments to the Land Use and Development Code by repealing the current Land Use and Development Code and replacing it with an updated Land Use and Development Code;

WHEREAS, the Planning and Zoning Committee reviewed the new Land Use and Development Code at its meeting held January 18, 2023, and recommended approval to the Town Council;

WHEREAS, a public hearing on the proposed text amendment was held before the Town Council on February 22, 2023, notice of which was published on February 3, 2023 in the Delaware State News, being at least 15 days before the public hearing; and

WHEREAS, all members of the public were given an opportunity to comment on the updated Land Use and Development Code at the public hearing, and after hearing comments from the public and considering the proposed updated Land Use and Development Code, the Town Council believes it is in the best interest of the town to adopt the updated the Land Use and Development Code.

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Wyoming, a majority thereof concurring in council duly met, that the Land Use and Development Code of the Town of Wyoming is hereby amended as follows:

Section 1. The Land Use and Development Code adopted in 2009 by the Town of Wyoming, as subsequently amended, is hereby repealed in its entirety.

Section 2. The Land Use and Development Code attached hereto as Exhibit A is incorporated herein by specific reference thereto and is hereby adopted in its entirety.

Section 3. Severability. The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that the Town Council would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with Town Council's intent.

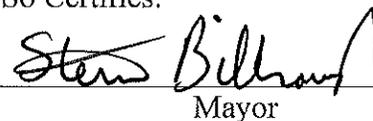
Section 4. Effective Date. This Ordinance shall become effective immediately upon its adoption by the Town Council.

Synopsis

This ordinance repeals in its entirety the Land Use and Development Code of the Town of Wyoming adopted in 2009, as subsequently amended, and adopts a New Land Use and Development Code in its place.

This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Wyoming at a duly-noticed and convened meeting at which a quorum was present on March 6, 2023.

Attest: 
Town Clerk

So Certifies:

Mayor

This shall certify that a copy of this Ordinance was posted at the Town Hall on March 7, 2023.

3/7/2023
Date

So Certifies:
